



**CITY OF WORTHINGTON**  
**Worthington City Council Minutes**  
April 1, 2019

6550 N. High Street  
Worthington, Ohio  
43085

---

**CALL TO ORDER – Roll Call, Pledge of Allegiance**

Worthington City Council met in Regular Session on Monday, April 1, 2019, in the John P. Coleman Council Chambers of the Louis J.R. Goorey Municipal Building, 6550 North High Street, Worthington, Ohio. President Michael called the meeting to order at or about 7:30 p.m.

**ROLL CALL**

**Members Present:** Rachael R. Dorothy, Douglas Foust, Beth Kowalczyk, David Robinson, Douglas K. Smith and Bonnie D. Michael

**Member(s) Absent:** Scott Myers

**Also present:** City Manager Matt Greeson, Assistant City Manager Robyn Stewart, Director of Law Tom Lindsey, Director of Finance Scott Bartter, Director of Service & Engineering Dan Whited, Director of Planning & Building Lee Brown, Director of Parks & Recreation Darren Hurley, Chief of Fire John Bailot, Chief of Police Jerry Strait, Clerk of Council D. Kay Thress, Assistant City Clerk Ethan Barnhardt

There were 23 visitors present.

**PLEDGE OF ALLEGIANCE**

*President Michael invited all to stand and join in reciting the Pledge of Allegiance to the flag.*

**VISITOR COMMENTS**

No visitor comments.

**SPECIAL PRESENTATION(S)**

- Oath of Office – Police Lieutenant

*Chief Strait explained how the Division of Police has a proud distinction of hiring talented officers to protect the City of Worthington. Recently, the Division has seen the retirement*

*of Lieutenant Jennifer Wuertz, so they undertook a rigorous promotion process to find a candidate to fill her position. He introduced Lieutenant Stephen Mette who will take over as the Bureau Commander for the Agency's Patrol Division. Lieutenant Mette has been with the Agency as an Officer since 2006, becoming a Sergeant in 2011. He has served in a wide variety of roles during his time with the Division. He has a bachelor's degree in communication systems, a master's degree in criminology, and numerous other certifications and qualifications. His wife, Rebecca and their two children, Sebastian and Bernadette, are in attendance tonight.*

Mr. Greeson administered the Oath of Office to Lieutenant Mette.

*Lieutenant Mette expressed how he has been blessed in his entire career here with the City of Worthington and he has had wonderful, supportive people here. He is excited to move forward into this new position. He also noted how the support of his family has been huge.*

#### **APPROVAL OF THE MINUTES**

- Committee of the Whole Meeting – March 11, 2019
- Regular Meeting – March 18, 2019

**MOTION** Mr. Robinson moved, Mr. Foust seconded a motion to approve the aforementioned meeting minutes as presented.

**The motion to approve the minutes as presented carried unanimously by a voice vote.**

*Mr. Lindsey explained how he is asking that Council remove the introduction of the non-discrimination ordinance from the agenda tonight. There was a review from Baker Hostetler requested to have an additional perspective and due to some family emergency issues from Mr. Guttman, the review has been delayed. He conveyed that he believes it is in the best interest of the City to delay the introduction of this for two weeks.*

**MOTION** Mr. Smith moved, seconded by Ms. Dorothy to remove Ordinance No. 14-2019 from agenda.

**There being no additional comments, the motion passed unanimously by a voice vote.**

#### **PUBLIC HEARINGS ON LEGISLATION**

*President Michael declared public hearings and voting on legislation previously introduced to be in order.*

**Ordinance No. 11-2019** Amending Ordinance No. 52-2018 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the 2003 Bicentennial Fund

**The foregoing Ordinance Title was read.**

*Mr. Greeson explained how Council requested that an ordinance be brought regarding the Orange Johnson House renovations and the Bicentennial Fund. Background materials were included in the Council packet, and staff is happy to answer any questions Council may have. This issue was originally raised by Mr. Smith and he invited Mr. Smith to voice any additional comments he may have.*

*Mr. Smith explained how he understands and respects the history of the Bicentennial Fund. He sees no other project or event in sight, aside from the 250-year anniversary coming up in 30 some years, that would be fitting of this fund. However, he does see this project as being a fitting use of this fund. That is why he chose to use funds from this particular fund.*

*Ms. Dorothy explained how she is excited that the Historical Society is putting such an investment into updating and protecting the Orange Johnson House. It does have a small setback because that is what is historical in Worthington, but it does come with consequences and there are sustainability issues about the structure. We have lost other buildings in Worthington and The Worthington Historical Society was started when the Griswold Inn was torn down. It would be nice to do what we can to ensure that we continue to have this important piece of history in Worthington. She acknowledged that she is concerned about using the Bicentennial Fund to pay for this, but it is a worthy cause.*

*Ms. Kowalczyk asked for clarification about exactly where the funds in the Bicentennial Fund actually came from. Mr. Greeson responded that there was a small portion of money carried forward from a previous anniversary celebration. The City also set aside some dollars each year over a period of years prior to the bicentennial celebration. There was a private group of citizens including at least one Councilmember and other community members who raised private dollars which were given to us and put into the Bicentennial Fund. It was a mix of those contributions. After all was said and done, there was an amount left in the fund, and no dollars have been spent since then. The accrued interest since then has also been placed into that fund.*

*President Michael asked if all those funds were raised for the purpose of some sort of a bicentennial or similar celebration. Mr. Greeson said yes, and it is his understanding that the Council also put funds aside over a period of years in advance of the bicentennial celebration in addition to the private financing.*

*Mr. Foust said that the word that jumps out to him is the word, "Donated." He wholly respects the intent of Mr. Smith's original inquiry and he would be the first in line to support celebrating Worthington history and the Orange Johnson House. He explained how he wishes we knew more about the breakdown of the dollars in the fund. To him, there is a difference if it was private donations versus if a lot of it was City money. Mr. Greeson detailed how the original remaining funds from 1977 was a total of \$911.45. Those were funds that came privately. We cannot tell how much the City set aside, but the total budget was several hundred thousand dollars.*

*Mr. Robinson explained that if in fact we decide we should not use dollars from the Bicentennial Fund, we should fund it from elsewhere.*

**Dr. Lou Goorey – Former Worthington City Council President**

Dr. Goorey described how he was here to discuss Ordinance No. 11-2019. Not the merits of the proposed project, which he believes are very worthwhile, but to raise concern about the proposed source of funding from the Bicentennial account.

He brought up how 2003 was the 200<sup>th</sup> anniversary of the founding of Worthington and it was also the 200<sup>th</sup> anniversary of Ohio statehood. In 2001, we held several public meetings to get input from our citizens about what they would like to do to celebrate our bicentennial. A Bicentennial Commission was formed, and Lou Briggs and he were co-chairs. The other members were people who had suggested many of the projects or who would serve as chairs of various committees. Some of the projects undertaken included a Wagon Train, which most of the money was spent on, a Heritage Ball, and re-instituting the community Prayer Breakfast. He said he could not recall the amount of the overall budget, but \$375,000 to \$500,000 seems to be the range.

We did not have that amount of money, and the City could not afford that much, so we hired a fundraiser, Sandy Morckel, and received donations from individuals, businesses, and companies to put on these events. We also charged some fees for participation, which did not cover the costs. At the end of the celebrations, we did have a significant amount remaining in the sum of approximately \$66,000. The Bicentennial Commission and the City Council felt that this should be kept in a separate fund and set aside for use the next time the City celebrated a significant anniversary. One of the reasons the money was kept with the City, rather than establishing a separate entity was to take advantage of the hopefully better rate of return the City would have on investment.

He emphasized that it is his position that the money in this fund does not belong to the City to appropriate for anything other than by use of the next centennial type celebration. Acknowledging that the Orange John project is a worthwhile one, he pointed out that there have been other historical buildings, such as the Kilbourne Library and the renovation of the old high school into the McConnell Arts Center, that the City did not use the money for. He urged that the Council not break the compact that a previous City Council had established with Worthington residents and donors. He asked that if the Orange Johnson project is worth funding, that another source of money is found to do so.

*Mr. Smith thanked Dr. Goorey, noting that the other buildings of historical value mentioned were not celebrating a bicentennial as the Orange Johnson House is. He stated that he does like the idea of setting aside small amounts of money starting as soon as this year, \$5,000 sounds like a nice amount, to help fund future celebrations. With that said, he appreciates Dr. Goorey's position, and proposed an amendment to appropriate \$36,000 from the General Fund.*

**MOTION**

Mr. Smith moved, seconded by Mr. Foust to amend the ordinance with the proposed strikethroughs on the screen.

*Mr. Greeson said in anticipation of the motion being made, changes to the ordinance were made to accomplish that if it is Council's desire. The intent would be to replace references to the Bicentennial Fund with the General Fund Unappropriated Balance and to strike the first two whereas clauses from the ordinance.*

*Ms. Kowalczyk asked if we have this amount of unappropriated money available. Mr. Bartter confirmed that amount is available in the General Fund.*

*Mr. Foust asked for the amount left in the General Fund unappropriated balance after this \$36,000 is appropriated. Mr. Bartter replied there would be approximately \$14 million remaining.*

**There being no additional comments, the motion passed unanimously by a voice vote.**

*Ms. Dorothy requested that the Worthington Historical Society say what exactly is being funded and fixed.*

**Kate LaLonde – Worthington Historical Society**

Ms. LaLonde expressed how this project is really large in scope for the Historical Society. A nine-year restoration took place in 1963 costing roughly \$300,000, which accounting for inflation equals \$2.5 million today. The community pooled many financial resources to make that happen.

The Historical Society has continued to care for the property since 1972 and there have been a lot of preservation projects, they have had two new roofs, and a substantial number of other repairs. The masonry that surrounds the north and west sides of the building has only been repaired and it needs attention. The front has structural issues as well. Part of the bicentennial project was to replace the front entry, which was done last spring. Hopefully the masonry on the two sides will be replaced with limestone for the wall and it will be more durable, especially along High Street where they get a lot of salt and weather thrown up on the brick. She is excited for the project to happen, but it is a large undertaking.

*Mr. Smith asked where they landed on which portions were the city right-of-way. Ms. LaLonde said that the current planter wall is within the right-of-way because they have documentation from the 1960s that they had to get permission from ODOT to put them there.*

*Ms. Dorothy asked when this project would be started. Ms. LaLonde replied that they have Architectural Review Board approval and they are looking to start getting bids as soon as possible.*

*Ms. Kowalczyk asked if this amount would be enough to repair the wall. Ms. LaLonde said there are always things that come up. Because they have two buildings that have unexpected repairs, they are not wanting to exhaust all their funds. They are going to need to continue to fundraise. Ms. Kowalczyk asked if there were ideas on how to continue fundraising. Ms. LaLonde explained they are looking to reach out to the community. They are looking forward to the Orange Johnson house being open again. With Pioneer days coming up soon, they will see lots of community members.*

*President Michael expressed how she is more comfortable with giving City funds for this project because it is on the City's right-of-way.*

*Ms. LaLonde thanked Council and she appreciates having their support.*

*Mr. Foust said we never effectively referenced the comments ~~and not~~ of Council going back to 2003-2004. When he read it, he was uncomfortable to think we would in our day overlook the intent and wisdom of a former Council. He stressed that he believes it is a third component we need to make sure that is on the record.*

**There being no additional comments, the clerk called the roll on Ordinance No. 11-2019 (As Amended). The motion carried by the following vote:**

**Yes    6        Robinson, Kowalczyk, Foust, Dorothy, Smith, and Michael**

**No     0**

**Ordinance No. 11-2019 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.**

*Mr. Smith said that the Bicentennial Fund is named the 2003 Bicentennial Fund, and he then asked how we change the name. Mr. Lindsey suggested that he and Finance Director Bartter get together to discuss how to do that.*

**Ordinance No. 12-2019**                      Accepting the Deed of Dedication for Additional Right-of-Way at 181 East Wilson Bridge Road.

**The foregoing Ordinance Title was read.**

*Mr. Greeson described how this is a right-of-way dedication related to the Granby Place project at 181 East Wilson Bridge Road.*

*Mr. Brown said that one of the conditions of the approval of Granby Place last year was to dedicate fifteen feet of additional right-of-way on the southside of East Wilson Bridge Road. That was to be used for a future multi-use path that would connect High Street over to the Community Center, and eventually to the Northeast Gateway Project. To satisfy the condition, we worked with the applicant to prepare a deed of dedication. It was reviewed by the Service and Engineering Department and Franklin County.*

*President Michael clarified this is following the plans that we had, formalizing the paperwork of the easement.*

*Ms. Dorothy asked if they will build the multi-use path as part of this project. Mr. Brown said no. As we move forward in the design there will be many things that will need to be addressed, we wanted to get the right-of-way under our control so that when we do move forward with the project we can start it and finish it hopefully with connection points.*

**There being no additional comments, the clerk called the roll on Ordinance No. 12-2019. The motion carried by the following vote:**

**Yes 6** Kowalczyk, Foust, Dorothy, Smith, Robinson, and Michael

**No 0**

**Ordinance No. 12-2019 was thereupon declared duly passed and is recorded in full in the appropriate record book.**

#### **NEW LEGISLATION TO BE INTRODUCED**

**Resolution No. 17-2019** Amending the Position Description for Firefighter-Paramedic.

**Introduced by Ms. Dorothy.**

**MOTION** Ms. Kowalczyk made a motion to adopt Resolution No. 17-2019. The motion was seconded by Mr. Robinson.

*Mr. Greeson explained how it is customary when there are vacancies to review job descriptions. In this case, the job description for Firefighter-Paramedic has not been updated since 2005.*

*Chief Bailot said this update is bringing it in line with the standard of 2019 versus 2005. It parallels the job description for the part time position that was previously brought to Council. We put in there that we prefer people coming in with an associate's degree, putting a greater emphasis on higher education. It is not a requirement, just a preference.*

**There being no additional comments, the motion to adopt Resolution No. 17-2019 passed unanimously by a voice vote.**

**Ordinance No. 13-2019** Amending Ordinance No. 52-2018 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the 2019 Bicycle and Pedestrian Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 693-19)

**Introduced by Mr. Foust.**

The Clerk was instructed to give notice of a public hearing on said ordinance(s) in accordance with the provisions of the City Charter unless otherwise directed.

**REPORTS OF CITY OFFICIALS**

Policy Item(s)

- Permission to Bid Huntley Road Waterline Replacement

*Mr. Whited observed that this is our second significant waterline project and how we are hitting these important issues in our community. This is useful as well, kickstarting the Northeast Gateway project. The 12-inch waterline extends south from the railroad tracks to the intersection of Worthington-Galena. The current waterline is just inside the curb, the new one will be just outside the curb in the pavement and will require some temporary improvements to the pavement until Northeast Gateway project is underway. He maintained that they would like to get construction started this year and the engineer's estimate is approximately \$522,885.*

**MOTION** Mr. Smith moved, seconded by Ms. Dorothy to grant permission to solicit for bids for this construction project on Huntley Road.

**The motion passed unanimously by a voice vote.**

*Mr. Greeson said he would send out more information about how the schools are conducting middle school schematic design meetings. This is a second wave of public meetings about their middle schools. There has been a Worthingway based meeting last week, a Perry-Phoenix meeting, and they have scheduled the upcoming Kilbourne meeting. In each of those meetings they talk about the specific schematic issues and the proposed projects.*

*He updated Council that he was in contact today with our electric aggregation consultant, Rich Surace with Energy Alliances, and Mr. Surace has been soliciting proposals in accordance with our RFP. Those may be available as early as next week to make recommendations about the best couple of options. He reported that we have received six proposals and of those there were two that broke out as being better, meeting more of our criteria such as price and ability to handle a number of service issues. Not all of these proposals are apples to apples but there are a couple that seem to offer most all those alternatives. We are going to go back to negotiate for final proposals. He is confident we will achieve the goals of the program which is to save money and buy Renewal Energy Certificates (RECs). The differences will be who is able to provide both low cost as well as some of the service pieces.*

*Placed at Councilmembers' seats is a document where staff attempted to answer the questions from consultants about the Community Visioning Consultant RFP. We want to get answers back to them in short order. Proposals are due in a little over a week.*

## **REPORT OF COUNCIL MEMBERS**

*Ms. Thress reminded Councilmembers that they need to file their financial disclosure statements before April 15<sup>th</sup> with the Ohio Ethics Commission. Additionally, if Councilmember have a codebook that needs to be updated, we have the replacement pages in City Hall and staff would be happy to update them.*

*Mr. Lindsey detailed how he was in Washington DC for the International Municipal Lawyers Association mid-year seminar where there were issues talked about including small cells in the right-of-way, social media, and electric scooters. These are issues we have discussed in Worthington and at a national level as well. While it is not a priority to address electric scooter issue yet this year, it is good to keep up to date and learn how other cities are dealing with that. He will pass on additional information to Council soon.*

*Mr. Robinson referenced the letter from Betsey and Parker MacDonnell and how they made five requests of us and he would like to comment on two of them. The first request is that we provide a cost to serve analysis of the 2015 Lifestyle Communities proposal made several years ago. He suggests that we do this so that Mr. MacDonnell and any group they may be forming have all the information they need so they can do their best to advocate for the Lifestyle proposal or any comparable mixed-use proposal with a component of high-density apartments. He welcomes them to make a coherent case for this type of development either in writing or public presentations. Mr. Robinson said that he believes the community has already rendered a judgement on this type of development and would do so again, but he may be wrong. If Mr. MacDonnell wants to give it a go, we should empower him to do so. He hopes that Mr. MacDonnell will make a case to the broad public that his ideas will best serve the community.*

*Regarding the fifth item refers to the upcoming visioning process and the specific request that representatives of the business community be offered places on the steering committee for this visioning process. The letter states that the omission of business will call into question the validity of the study and recommendations. Mr. Robinson explained that the experiences, interests, and viewpoints of the business community will be included along with many other voices that cumulatively comprise the City of Worthington. He asserted that this request for business representation on the visioning committee reflects a misunderstanding of the purpose of the visioning process itself and the function of the committee. Since we will all be reviewing applications for the committee, he believes this issue should be clarified for the public. The committee's task is not to advocate or lobby for any particular interests, but rather to faithfully engage the broad public and then clearly report their findings regarding public opinion, viewpoints, and ideas about our community and its future. As such, the qualifications for a position on the committee have little or nothing to do with one's profession or position in life, but rather qualities of character and ability. If an applicant to the committee has the qualities we are seeking but*

*happens to be an employer or businessowner, their viewpoint is neither more or less valuable than others. This general understanding of the nature and task of the community should be respectfully conveyed to the MacDonnells so the validity of our work will not be called into question at the outset on these grounds.*

*Ms. Kowalczyk responded to Mr. Robinson's comments for the record that he has mischaracterized Mr. MacDonnell's letter as articulating support for the Lifestyle proposal. What he is articulating is that residents need to have all of the information available to them in order to assess the various pros and cons of different proposals. Nothing in the letter articulates a particular position. Secondly, she is hearing that if we decide we would like to appoint someone who is a business owner in the City of Worthington, that is an acceptable proposal and people who are businessowners would be precluded from sitting on the committee. She is looking at our materials that say residents are encouraged to apply. She does not see anything that states we are mandating they all be residents. President Michael commented that when talking fees and charges, a resident is someone who lives or works in the City, and the Parks and Recreation Department uses the same criteria for a resident. That comes into whether resident is someone who lives or works here. Mr. Robinson said common sense would dictate that a resident is someone who lives here. President Michael noted that we do have city published documents that define it one way.*

*Ms. Dorothy explained how she would like to have as many perspectives as possible. She agrees with Mr. Robinson that everyone should have very high-quality character and ability to reach out across the whole of Worthington. She would be in favor to include people who work in Worthington, but she understands that lots of people have quite differing views on this. She would like to echo Ms. Kowalczyk's comments that it would be good to have informed information about the Lifestyle Communities option.*

*Ms. Kowalczyk said if the people appointed to the committee commit to hearing from as many different stakeholders that have the right to propose what they see as a vision for the City or how they interact with the City that is what is most important. As long as we are certain that the pool of people enables that and they're reaching out to as many different stakeholders as possible, that is the most important thing this committee should do.*

*President Michael wondered if we needed to take time to address all the issues in the MacDonnell's letter. The costs to do some of these things is unknown and we do not want to decide without some cost information.*

*Mr. Robinson said the reason he focused on the first and fifth requests is because those are the two where they close their statement, calling into question the fairness and validity of the process itself. To him, the fifth request about a specific person to be on the committee, that is an important principle that we need to be clear about. It is not to form a body of special interests, but to analyze feedback and someone's profession should be irrelevant. If there is no business person on the committee that does not mean we do not want to engage them in the process.*

*Mr. Foust stated we are not looking for 13 opinions, we are looking for as many as 13,000 opinions that we can get. These 13 people are nothing more or less than a gathering point*

*to go out and get as much unbiased information as they can. He has no concerns about the business community finding a way to have its thoughts represented in this.*

*Ms. Kowalczyk said our website does identify things we are looking for in the community members for the visioning committee including geographic location, age, gender, ethnicity, residents who are active in various community groups, inclusion of persons who work in the community, various constituency groups of the community, and persons or perspectives that are infrequently heard. We do identify some things we are looking for in those committee members, including people who work in the community. We could knock a few of these off with someone who is appointed or applies.*

*President Michael said we could share that list of qualities with the MacDonnells about the selection process and maybe it will meet the needs of the community. It is inclusive not exclusive. She directed Mr. Greeson to draft answers for the requests and suggestions two through four from the MacDonnells letter.*

*Mr. Smith conveyed how we have come a long way with the visioning process. Before we have a consultant come in we can put some of our thoughts on paper. Where we are now is what is the architecture of the actual outreach and what the committee is going to do. A lot of the committee work will be figuring out what the architecture is, but this conversation just now is an example of something we can get ahead of the committee and facilitator and write our thoughts on paper. He proposed talking about the architectural deal breakers and what are our key intents of this outreach.*

*Mr. Foust said we are looking for an expert to help with the architecture. He suggested we sit back and wait to listen to what they have to say.*

*President Michael said we only look at deal breakers if someone comes back and we see something. We do not even know what the committee will come back with and what their thoughts are.*

*Mr. Robinson asked what is prompting these remarks because he does not understand what the issue is. Mr. Smith replied after reading through the questions from consultants interested in responding to the RFP, he is concerned slightly that some of these people are going to come back way off base. He suggested if we select someone close to base and we have a committee who is selected, all of a sudden the facilitator could push the committee off base. We could have prevented that from the beginning if we said our intent in advance, here are our deal breakers.*

*Ms. Kowalczyk said we have articulated as much as possible in the architecture and the RFP process is to see who is up to the job. We are not accepting something less than we want. If we do not get what we want, we go back to the drawing board and continue to discuss and monitor.*

*Ms. Dorothy said that she attended the Worthington International Friendship Association meeting and they are planning additional content, such as a book club and a celebration at Selby Park. She also attended the cemetery board meeting, they have consultants*

*working on designs for the Ozem Gardner property which is starting to take shape but is still not finalized.*

*Ms. Kowalczyk reminded everyone that Wednesday is Worthington First Wednesday. For all your pizza needs, the second annual Slice of Worthington is coming up on April 9th. There are two ticket slots for either 5:30pm or 630pm. It takes place at Shops at Worthington place.*

*President Michael shared that National League of Cities leadership training is coming up and the next one is in June in Indianapolis. If anyone is interested, let us know. It is not going to get any closer, so it makes some sense.*

## **EXECUTIVE SESSION**

**MOTION** Ms. Kowalczyk moved, Ms. Dorothy seconded a motion to meet in Executive Session to discuss the Compensation of Public Employees, Appointments to Boards & Commissions, and Economic Development Incentives.

**The clerk called the roll on Executive Session. The motion carried by the following vote**

**Yes 6** Robinson, Smith, Kowalczyk, Dorothy, Foust and Michael

**No 0**

Council recessed at 8:52 P.M. from the Regular meeting session

**MOTION** Ms. Dorothy moved, Mr. Smith seconded a motion to return to open session at 9:20 P.M.

**The motion carried unanimously by a voice vote.**

## **ADJOURNMENT**

**MOTION** Mr. Robinson moved, Mr. Foust seconded a motion to adjourn.

**The motion carried unanimously by a voice vote.**

President Michael declared the meeting adjourned at 9:20 p.m.

/s/ Ethan Charles Barnhardt  
Assistant City Clerk

*APPROVED by the City Council, this  
15<sup>th</sup> day of April, 2019.*

/s/ Bonnie D. Michael  
Council President